



## **MARICOPA COUNTY JUSTICE COURT**

**If you want to file a...**

# **OBTAIN A WRIT OF GARNISHMENT**



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Garnishment is a process to enable you to collect on your judgment by accessing monies owed to the judgment debtor by others. There are two types of garnishment proceedings:

1. Garnishment of earnings (wages the debtor is earning at a job).
2. Garnishment of non-earnings (such as bank accounts, etc.).

To initiate garnishment proceedings you need to know where the judgment debtor works, banks, etc. A written demand is required prior to garnishment of wages. After issuance, the writ must be served on the party or business holding the money (garnishee). The garnishee must then file an answer with the court. After an answer has been filed by the garnishee you must apply for an order to release (to you) any money being held. If the garnishee fails to answer, you may apply for a default judgment against the garnishee.

## **Please STOP...**

If there is no judgment rendered in your favor.

If there is a satisfaction of judgment filed.

If you are seeking to garnish wages and you have not given the judgment debtor a written demand for payment.

## **Please PROCEED**

If you have a judgment in your favor that has not yet been satisfied.

## **FORMS Needed:**

Garnishment Packet (Earnings or Non-Earnings) – the court clerk will provide the correct packet of forms upon request.

## **INSTRUCTIONS**

- 1) Determine if you wish to pursue a garnishment of wages or a garnishment of non-wages (such as bank accounts).
- 2) Inform the court clerk of the garnishment type you desire. The clerk will provide you with a garnishment packet containing required forms and detailed instructions.
- 3) Follow the instructions given with the garnishment packet for form completion.
- 4) File the completed forms with the court clerk and pay the writ issuance fee.
- 5) Ask the court clerk when the papers will be ready for you to pick up to have them served.
- 6) Arrange for service of the documents with your process server.
- 7) Give completed papers to the process server (for service) and pay the process service fees directly to your process server.

**THE FEES WILL BE ADDED TO YOUR JUDGMENT AMOUNT AS ACCRUING COURT COSTS.**

**IT IS IMPORTANT THAT ALL PARTIES KEEP THE COURT APPRISED OF ANY CHANGE IN ADDRESS A NOTICE OF CHANGE OF ADDRESS** form must be filed with the court when a party changes their address.

Visit us at [www.superiorcourt.maricopa.gov/justicecourts](http://www.superiorcourt.maricopa.gov/justicecourts) for additional filing information and online forms.